

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 05, 2022**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH LEROY MARTINEZ,

Defendant.

NO: 2:22-CR-48-RMP-1

PROTECTIVE ORDER

BEFORE THE COURT is the United States of America's Unopposed Motion for Discovery Protective Order, ECF No. 17. The United States requests that the motion be heard on an expedited basis. *Id.* Having reviewed the motion, the record, and relevant law, the Court is fully informed.

The standard for entry of a protective order in a criminal matter, generally, is good cause. *See* Fed. R. Crim. P. 16(d)(1) (providing that a "court may, for good cause, deny, restrict, or defer discovery or inspection, or grant other appropriate relief"). The Court finds that the potential injury from the dissemination of personal identifiers and other sensitive information at issue in this matter constitutes good

1 cause to enter the proposed protective order in an expedited fashion. However,  
2 Defendant may move to modify the protective order at a later date. *See* Fed. R.  
3 Crim. P. 16(d). Accordingly, **IT IS HEREBY ORDERED:**

4 1. The United States' Unopposed Motion for Discovery Protective Order,  
5 **ECF No. 17**, is **GRANTED**.

6 2. Pursuant to the discovery obligations previously imposed by the Court,  
7 the United States is authorized to disclose discovery in its possession and any  
8 Protected Information contained therein. As used herein, "Protected Information"  
9 means sensitive personal, business, and financial information of defendants and third  
10 parties, including for example, social security numbers, driver's license and  
11 identification information, taxpayer identification numbers, tax information and  
12 records, salary information, dates of birth, birth places, addresses, phone numbers,  
13 e-mail addresses, personal photographs, cooperating witness information, minor  
14 witness information, and financial and business account numbers and information.

15 3. Counsel for Defendant (hereinafter "Defense Counsel") shall not share  
16 or provide any discovery items produced by the United States in this case with  
17 anyone other than designated Defense Counsel, defense investigators, retained  
18 expert witnesses, and support staff. Defense Counsel may permit Defendant to view  
19 unredacted discovery items in the presence of Defense Counsel, defense  
20 investigators, and support staff. Defense Counsel personally, or through Defense  
21 Counsel's investigators and support staff, may show unredacted discovery items to

1 witnesses in regard to items or events about which a witness may have personal  
2 knowledge. Defense Counsel and his investigators and support staff shall not allow  
3 Defendant or witnesses to copy Protected Information contained in the discovery.

4       4.     The discovery and information therein may be used only in connection  
5 with the litigation of this case and for no other purpose. The discovery is now and  
6 will forever remain the property of the United States. At the conclusion of the case,  
7 Defense Counsel will return the discovery to the United States, will certify that it  
8 has been shredded, or, if the materials are still needed, will store it in a secure place  
9 and not disclose it to third parties. If the assigned Defense Counsel is relieved or  
10 substituted from the case, Defense Counsel will return the discovery to the United  
11 States or certify that it has been shredded.

12       5.     Defense Counsel shall store the discovery in a secure place and will use  
13 reasonable care to ensure that it is not disclosed to third persons contrary to the  
14 Protective Order.

15       6.     Defense Counsel shall be responsible for advising Defendant,  
16 employees, witnesses, and other members of the defense team of the contents of this  
17 Protective Order.

18       7.     This Protective Order also shall apply to any new Defense Counsel who  
19 may later become counsel of record in this case.

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**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel.

**DATED** May 5, 2022.

*s/ Rosanna Malouf Peterson*  
 ROSANNA MALOUF PETERSON  
 Senior United States District Judge